

REMARKS

Applicant thanks Examiner for the thorough examination of the Office Action dated October 5, 2004. As Examiner has allowed Claims 10, 11, and 21, those claims are unchanged and remain as they were in the previous submission. Claim 18 was also allowed by Examiner and remains substantively the same, but is herein amended to fix solely typographical errors. By this amendment, Claims 1, 7, 12, and 19 are also amended. In view of the amendments and remarks, applicant respectfully asserts that the objections and rejections to the remaining claims are now moot, and that pending claims are in condition for allowance.

Claim Rejections – 35 U.S.C. §102 and §103

In the Office Action, Claims 12, 13, and 15 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,088,708, to Burch et al. ("*Burch*"). Additionally, Claims 1, 3, 4, 5 and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Burch* in view of U.S. Patent No. 6,061,700, to Brobst et al. ("*Brobst*"), and Claims 7 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Burch* in view of U.S. Patent No. 6,311,196, to Arora ("*Arora*"). Claims 8 and 17 were also rejected for §103(a) obviousness over *Burch*, *Arora*, and a publication titled Windows 3.1, Special Edition, to Cowart ("*Cowart*"). Furthermore, Claim 19 was rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,008,809, to Brooks ("*Brooks*") in view of *Burch*, and Claim 20 was similarly rejected under §103(a) as unpatentable over *Brooks*, *Burch*, and *Brobst*. Claims 2 and 9 have been withdrawn from consideration, and Claims 6 has been canceled.

The Amended Independent Claims are Patentable

Independent Claim 1 is amended herein to reflect that the replacing of previously displayed web content with the second content webpage in the inline step **before** allowing access to the second content webpage in the inline frame, all in response to a second navigation command. The amendment further distinguishes Claim 1 from *Burch* and *Brobst*. In the Office Action dated October 5, 2004, Examiner points out that "Burch doesn't note art regarding the ability to access and display a second content webpage in the inline frame," as Claim 1 requires.

(Page 5.) The Examiner further notes that by adding the features recited in *Brobst* would render Claim 1 obvious because it “would be seen as beneficial in the way that like websites could be merged together to form a seamless viewing medium.” (Page 5.) Although *Brobst* is aimed at achieving this benefit through its functionality, Applicant respectfully asserts that amended Claim 1 is not aimed at achieving such a benefit, and therefore, the functionality of *Brobst* that achieves such a benefit teaches away from that which is described in Claim 1 as currently amended.

“If the proposed modification or combination of the prior art would change the principle operation of the prior art invention being modified, then the teaching of the references are not sufficient to render the claims *prima facie* obvious” (See MPEP 2143.01; *see also In re Ratti*, 270 F.2d 810, (CCPA 1959)). Claim 1 as currently amended provides that the response to a second navigation command to access and display a second content webpage **first replaces** the previously displayed content webpage **before** allowing access to the second content webpage. This ordering **prevents** “like websites [from being] merged together to form a seamless viewing medium.” (Page 5.) As the purpose of *Brobst* is to allow the formatting of numerous web pages into a single page to permit printing of multiple web pages simultaneously (see, e.g., Abstract and Summary of the Invention), the functionality achieving such a purpose **teaches away** from the replacing step described in amended Claim 1.

Because the functionality described in amended Claim 1 is neither disclosed or suggested by *Burch* or *Brobst*, Claim 1 is in condition for allowance. Furthermore, dependent Claims 3, 4, 5, 7, and 8, which ultimately depend from independent Claim 1, are allowable for at least the reasons discussed with regards to Claim 1, and further in view of the novel features recited therein.

Independent Claim 12 is amended herein to include the language “wherein in response to a resize command for resizing the display area of a web browser ... causing the repeated images to be retiled accordingly.” Applicant respectfully asserts that none of the references disclose or teach such a system, as is supported by the previous Office Action. Therefore, Claim 12, as amended, is not anticipated by *Burch* because *Burch*, among other things, does not disclose the ability to retile the border images in response to a resize command. As a result of this

amendment, Claim 12 is in condition for allowance. Furthermore, dependent Claims 13, 14, 15, 16, and 17, which ultimately depend from independent Claim 12, are allowable for at least the reasons discussed with regards to Claim 12, and further in view of the novel features recited therein.

Independent Claim 19 is amended herein to recite “wherein in response to a resize command for resizing the display area of a web browser ... resizing the plurality of border cells, and retiling the repeated images accordingly.” Applicant respectfully asserts that none of the references teach or disclose the resizing of border cells and the retiling of images in response to a resize command, as is supported by the previous Office Action. Neither *Burch* or *Brooks* discloses or teaches the step of retiling the border images in response to a resize command. As a result of this amendment, Claim 19 is in condition for allowance. Furthermore, dependent Claim 20, which ultimately depends from independent Claim 19, is allowable for at least the reasons discussed with regards to Claim 19, and further in view of the novel features recited therein.

Finally, concerning the 35 U.S.C. §103 rejections, the Office Action notes that *Burch* fails to teach certain aspects of the original claims, such as the display of a border, the proportional resizing of the display area, border and content webpage, or the ability to access and display a second content webpage in an inline frame. To provide these features, the Office Action combines *Burch* with multiple references to formulate §103 obviousness rejections, including: *Brobst* (purportedly teaching a window structure like that of *Burch*, but also having the ability to display content from a second webpage in an inline frame); *Arora* (purportedly teaching the display of a border and webpage content placed therein, along with the proportional resizing of the two); *Cowart* (purportedly teaching a website having the look and feel of an application program); *Arquie* (purportedly teaching the determination of a window size, and the ability to resize it to a default size); and *Brooks* (purportedly teaching a website display generated by a network server and the ability of a network server to transmit web pages to web browsers.) In light of the amended independent claims now containing allowable subject matter as discussed above, the §103 rejections for both the independent and dependent claims are now moot.

Reexamination and reconsideration of the application is requested in light of the amended


claim(s) and remarks.

Conclusion

The foregoing is submitted as a full and complete response to the first Office Action. Applicant requests that all pending claims be allowed because, as shown above, they are patentable over the art of record. It is therefore respectfully requested that a Notice of Allowance be issued. If there are any issues that can be resolved by a telephone conference or an Examiner's Amendment, the examiner is invited to call the undersigned attorney at (404) 853-8214.

It is not believed that extensions of time or fees for addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 19-5029.

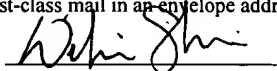
Respectfully submitted,


William R. Silverio
Registration No. 45,383

SUTHERLAND ASBILL & BRENNAN, LLP
999 Peachtree Street, NE
Atlanta, Georgia 30309-3996
(404) 853-8806 (fax)
SAB Docket No.: 15555-0017

Certificate of Mailing Under 37 C.F.R. § 1.8(a)

I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on January 5, 2005 with sufficient postage as first-class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450


William R. Silverio